

**UNITED STATES DISTRICT COURT**  
**For The**  
**WESTERN DISTRICT OF PENNSYLVANIA**

**U.S.A. vs. Daryl Kyles**

**Docket No. 03-00191-001**

**Petition on Supervised Release**

COMES NOW Theodore W. Johnson, CHIEF PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Daryl Kyles, who was placed on supervision by the Honorable Gary L. Lancaster sitting in the Court at Pittsburgh, Pennsylvania, on the 23rd day of April 2004, who fixed the period of supervision at three years and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

- Shall pay a \$200 special assessment.
- Shall participate in urine testing and drug treatment as directed by the probation officer.
- Shall submit to DNA testing.

04-23-04: Possession of a Firearm by a Convicted Felon (2 counts); 58 months' imprisonment; 3 years' supervised release.  
10-19-07: Released to supervision; Currently supervised by U.S. Probation Officer Donald A. Covington.  
07-02-08: Order, Judge Lancaster, home detention for a period of 60 days for failure to attend drug treatment and positive drug tests.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS:**

**The defendant shall not commit another federal, state, or local crime.**

**The defendant shall not leave the judicial district without permission of the Court or the probation office.**

Your Petitioner reports that the supervised releasee was arrested in Ohio County, West Virginia, on May 1, 2009, and charged with Possession With the Intent to Distribute a Controlled Substance (Heroin) and Criminal Conspiracy. The supervised releasee did not have permission to travel to West Virginia on May 1, 2009.

The supervised releasee also has two sets of drug charges pending in the Allegheny County Court of Common Pleas before Judge Zottola with a non-jury trial date of May 20, 2009. At Criminal No. 11893-2008, the charges are two counts of Possession With Intent to Deliver, two counts of Possession of a Controlled Substance, and Possession of Marijuana. This offense is alleged to have occurred on May 22, 2008. At Criminal No. 10267 of 2008, the charges are Possession With Intent to Deliver, Possession of a Controlled Substance, Driving Under Suspension, Stop Sign Violation, and Restriction on Alcoholic Beverages. This offense is alleged to have occurred on June 16, 2008.

**The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substances or any paraphernalia related to any controlled substance, except as prescribed by a physician.**

A urine sample taken on February 18, 2009, was positive for marijuana.

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PRAYING THAT THE COURT WILL ORDER that a bench warrant be issued and lodged as a detainer at the State of West Virginia Regional Jail and Correctional Facility, Moundsville, West Virginia.

I declare under penalty of perjury that the foregoing is true and correct.

ORDER OF COURT

Considered and ordered this 9<sup>th</sup> day of  
May, 2009 and ordered filed and made  
a part of the records in the above case.

J. H. Knott  
\_\_\_\_\_  
U.S. District Judge

Executed

on

May 5, 2009

Donald A Covington  
Donald A. Covington  
U.S. Probation Officer  
Roselyn Gerson  
Roselyn Gerson  
Supervising U.S. Probation Officer

Place: Pittsburgh, PA